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General Assembly

Official Records

Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

1447th Meeting

Thursday, 13 July 1995, 3 p.m.
New York

Acting Chairman: Mr. Bangura . . . . . (Sierra Leone)

The meeting was called to order at 3.40 p.m.

Question of the United States Virgin Islands (A/AC.109/2014)

The Chairman: At its 1445th meeting, on 12 July 1995, the Committee granted a request for hearing to the United Nations Association of the Virgin Islands. Ms. Deborah Jackson will make the statement on behalf of the Organization.

At the invitation of the Chairman, Ms. Deborah Jackson (United Nations Association of the Virgin Islands) took a place at the petitioners' table.

The Chairman: I call on Ms. Jackson.

Ms. Jackson (United Nations Association of the Virgin Islands): I thank you, Mr. Chairman, and the Committee, for this opportunity to present the observations and views of the United Nations Association of the Virgin Islands — known as UNAVI — on the situation with regard to the Non-Self-Governing Territory of the United States Virgin Islands.

I am Attorney Deborah Jackson of the National Conference of Black Lawyers, and the presentation that I am making today was prepared by Attorney Judith L. Bourne, President of the United Nations Association of the Virgin Islands, who, unfortunately, could not be in New York this week. She and other officers of the Association are currently in the process of organizing a national consultation with regard to the Fourth World Conference on Women, which is to take place later this month. The role and function of this Committee are of such import and significance that it was felt that, despite her unavailability, the Association could not allow this meeting to go forward without having its voice heard. Thus I have the honour to address the Committee.

I understand that the leadership of the Committee was recently thrust upon you, Mr. Chairman, by events over which neither you nor the Committee had any control. I have no doubt that, despite the circumstances in which you took up these duties, your long experience in and your dedication to the cause of decolonization will inspire the Committee to the full and vigorous exercise of its mandate, most especially in this the International Decade for the Eradication of Colonialism.

With respect to its consideration of the situation regarding the United States Virgin Islands, the Special Committee, of course, relies on the Working Paper prepared by the Secretary of the Committee and his staff. Unfortunately the 1995 Working Paper contains information that is either incomplete or misleading, or both. While I shall touch on several such matters, I shall concentrate on the incomplete and misleading information that most directly affects the purpose of this Committee.

Section IV D of the Working Paper — page 7 — describes the industrial sector, based primarily on St. Croix, of which the largest operations are an oil refinery and an aluminium plant. What is not mentioned is that the aluminium plant has been closed since mid-1994. Further, the oil refinery has had several large lay-offs within the past several years. Taken together, these developments have had a severe impact the employment

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situation and economic welfare of St. Croix — the island that was most devastated by hurricane Hugo and has had the least economic recovery despite the passage of almost six years. Despite this, the adverse impact of these actions is not reflected in Section V A of the Working Paper, headed "Labour".

The effects of these actions of major industries are, however, described in Section V C — headed "Social welfare" — which notes that poverty continues to grow. Similarly, Section V D — headed "Crime and crime prevention" — states that crime continues to be a major problem. The link between crime and worsening economic conditions is well documented in sociological and criminological literature.

In Section V B — headed "Public health" — the hospitals are described as having been completed in 1982. No mention is made of the fact that both were severely damaged by hurricane Hugo — the one in St. Croix to such an extent that it was unusable. A temporary modular hospital had to be erected and used for more than a year while it was rebuilt.

Nor was it mentioned that the St. Croix hospital lost its accreditation several years ago and is still in the process of regaining it. The St. Thomas Hospital was also about to lose its accreditation, and only an emergency effort by a special task force was able to secure additional time to remedy the deficiencies. To date, accreditation has not been renewed for the normal period of time. The accreditation to which I refer is of importance for many reasons, not the least of which is that, without it, the hospital will not be reimbursed by the Government of the administering Power for services performed under various programmes that provide health care to the elderly and to those of very low income.

Section VI, on educational conditions, contains the following statement:

> "The present condition of the public school infrastructure is reported to be of a high standard" *(A/AC.109/2014, para. 56)*.

The reporter is not named. This is an important oversight, as recent legislative hearings documented serious deficiencies in the infrastructure of many of the schools in the Territory, some so severe that an alternative site is being contemplated for the students at one elementary school on St. Croix for the opening of the school year in September. The deficiencies at various schools include broken and unusable fixtures in rest rooms, lack of access to safe water, broken windows and doors, exposed electrical wiring, broken light fixtures, cows and bulls wandering on school grounds because of broken fencing, and a general lack of security.

None of these issues were hidden. The mass layoffs from industry, with commentary on the likely, and actual, effects on the economic and social health of the island, and the problems with respect to the hospitals and the schools have all been reported in the local press.

I stated at the beginning of this presentation that I would focus on a topic included in the working paper that most directly affects the purpose of this Committee. That topic is addressed in paragraph 61 of the working paper, under section VIII, "Future status of the Territory".

The referendum on federal relations and status was held on 11 October 1993, pursuant to a statute enacted by the territorial legislature and signed by Governor Farrelly. It was entirely a local initiative, with the administering Power providing no assistance and not being required to recognize the outcome. However, under local law, the results were to be recognized only if 50 per cent, plus one, of the voters participated. Less than 28 per cent of the electorate voted in the first phase, and the remainder of the effort was abandoned.

The referendum was originally authorized to take place in 1989, but was postponed twice, first because of the disarray caused by hurricane Hugo, then by the clear unreadiness of the population to make a decision, as shown by, among other indications, letters to the editor and comments made on call-in talk shows. Much of the unreadiness was caused by confusion over the options included on the ballot and about what actually could be done. Within the Commission on Status and Federal Relations, the body set up to develop and implement the educational campaign, one co-chair vigorously took the position that all issues were completely determined by local law and that the United States Constitution and international law, including the Charter of the United Nations and General Assembly resolutions, had nothing to do with the process. There was quite a bit of discussion concerning whether the referendum would be an act of self-determination or a "local consultation". Many people referred to it as merely an opinion poll.

In any event, requests for clarification addressed to this Committee though its secretariat went unanswered, and the debate raged on, with no intervention from a

source that could be accepted as authoritative. The result was that much of the population accepted the proposition that there was no connection between the United States Virgin Islands' choice of political status and anything having to do with the United Nations.

The final design of the referendum was a multi-step process. Seven choices were put forth: independence, associated State, Commonwealth, compact of federal relations, the status quo, incorporated Territory — which in the United States is a status transitional to integration as one of the constituent units of the United States — and statehood, by which was meant integration into the United States as one of its constituent units, called States. These seven were grouped into three categories, which were described solely in terms of their movement towards or away from the overriding sovereignty of the United States. The first round of balloting was for a choice among the three categories, and a second round balloting was for a choice among the options within the winning category. Run-offs were planned for the two choices receiving the highest number of votes if no choice received an absolute majority in either balloting. As I stated earlier, the lack of participation by the minimum of 50 per cent plus one of the registered voters invalidated the entire exercise, and no further action was taken.

Virtually all post-referendum commentators agreed that the options as presented were excessive in number and confusing in definition. In fact, as presented, the options entirely misrepresented the actual options available to the people of the Territory pursuant to General Assembly resolution 1541 (XV).

This experience of the United States Virgin Islands is illustrative of certain problems that have been raised at the regional seminars that this Special Committee has held, both in the Caribbean and in the Pacific, during this International Decade for the Eradication of Colonialism.

The reports of each of these seminars refer, both directly and indirectly, to the need for more intensive and innovative ways to make information on decolonization available to the people of the Non-Self-Governing Territories. In the United States Virgin Islands, there remain large numbers of people who are totally unaware that the Territory has any status or that they have any rights under international law. They honestly believe that any interest shown by the United Nations is an intrusion, and that their options are completely limited by the United States Constitution.

From the time of the second postponement of the referendum, there was spirited debate on the question of who should be allowed to vote in the referendum. The legislation had not set any specific requirements, and the criteria applied were the same as those used for the election of representative government, that is, a voter must be a citizen of the administering Power, 18 years of age, a resident of the Territory for 90 days, and must have registered 30 days before the balloting.

Various alternatives were put forth, including suggestions that the period of residence for this referendum be significantly lengthened — suggestions of five and 15 years were heard; that the referendum be limited to those persons actually born in the Territory; and that the requirement of United States citizenship be eliminated. The faction that insisted on the primacy of the United States Constitution and the inapplicability of international law maintained that any difference in the qualifications for the referendum that might adversely affect any United States citizen would be a violation of the United States Constitution and therefore unlawful.

The Commission on Status and Federal Relations made a request to this Committee for a visiting mission in connection with preparations for the referendum. This request was forwarded by then-Governor Farrelly to the administering Power, but appears never to have been formally received by the Special Committee.

Although the Special Committee was repeatedly made aware of the request through the statements of the elected Government of the Territory at the meetings which addressed the situation in the Territory, there appears to have been no direct communication from the Committee to the Territory.

It is clear that misinformation and the lack of authoritative clarification and explanation was a major factor in the invalidation of the referendum. Of more far-ranging significance is the fact that the issue of political status has now been dubbed too complicated, too confusing and too separated from the everyday issues of economic, political and social life to be of any moment to the ordinary resident of the Territory. The relatively small group of persons who are aware of the truth — and there appear to be more today than before the referendum exercise — see the issue of status in many of the news stories reported every day and in the daily concerns discussed by the population.

As a small Caribbean Territory, the United States Virgin Islands is not unusual in either its apparent lack of widespread, sustained antagonism to its colonial status or its lack of understanding of its options. In fact, it can be said that the latter has a serious impact on the former. During the educational campaign, it was common to hear people expressing the view that "we know what we have and don't know what we might get if we ask for a change". Not as common, but certainly not rare, was the suggestion that we not ask for any change lest the United States become angry.

Last week at the seminar in Port-of-Spain, Miss Bourne stated that in the past several years proposals for options other than those set forth in resolution 1541 (XV) had been heard in various forums, including a seminar of this Committee. These options appear to be applicable to the remaining Non-Self-Governing Territories and, further, to be based on a supposed need for different options because of the smallness of most of these Non-Self-Governing Territories in size and population, their location and their limited natural resources. As the General Assembly has continually reiterated, these factors in no way circumscribe a Territory's right to self-determination.

Because UNAVI believes the point to have particular importance, I should like to repeat a portion of what was said at the seminar on this subject:

> "These recent proposals often make reference to some kind of 'autonomy' in an association that is less than independence, less than integration and which leaves the Territory in a decidedly one-sided relationship with an independent State which can override the reasonably and democratically demonstrated desires of the 'autonomous' Territory.
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> "I would suggest that these proposals are simply a shortcut to avoid the more difficult task of providing the people of the remaining Non-Self-Governing Territories with the information, education and experience they need to make and implement a decision based on their existing right to self-determination as set forth in General Assembly resolutions 1514 (XV) and 1541 (XV). Many of the problems with respect to the choice of an option stem not from any unsuitability of the resolution 1541 (XV) options for the remaining small Non-Self-Governing Territories, but from the lack of information and understanding of those options by the people of these Territories. ...
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> "Continued progress in the movement for decolonization is more likely linked to the heightening of the consciousness of the peoples of the Non-Self-Governing Territories through more accessible informational resources than to the elaboration of options not in conformity with resolution 1541 (XV). In the current situation, it is that consciousness that can lead the peoples to determine what action they deem necessary to exercise their inalienable right of self-determination."

Further, the incomplete and misleading reporting to this Special Committee which I have illustrated also points up the need for additional information-gathering resources and for direct contact between this Committee and the elected Governments of the Territories.

Finally, in reviewing the draft resolution on the United States Virgin Islands submitted by the Subcommittee on Small Territories, Petitions, Information and Assistance, I note first that the paragraph with respect to the referendum is totally inaccurate. As I have stated, not only is it not true that a majority of the people voted for continued or enhanced territorial status, not only did fewer than half of the eligible voters vote at all, but because of the low percentage, the referendum, on its own legal terms, was invalid. But in addition, I note a distressing paucity of substance in the operative paragraphs of the draft resolution, undoubtedly stemming from the paucity of information available to the Subcommittee.

I believe that it would be appropriate to speak to this issue of information, perhaps utilizing some of the language adopted by the recent seminar in Port-of-Spain. I would hope that this Committee would address both the issues of utilizing other United Nations organs, such as the regional economic Commissions and their suborgans, to obtain information from the Territories, and of the evident need for intensive education among the people of the United States Virgin Islands on issues both with regard to their right to self-determination and to the role of the United Nations.

The Chairman: Does any member of the Committee wish to comment or put questions to Ms. Jackson?

Mr. Viswanathan (India): I want to thank the petitioner for her useful presentation. She referred to the information given in the Secretariat of the working paper

as incomplete and misleading. She has given a lot of information and she has also clarified a number of points concerning information. I hope that the Secretariat has taken note of this in order to update the working paper prepared.

Secondly, she said that a communication was sent to the United Nations seeking its opinion regarding the nature of the referendum — whether it was going to be an act of self-determination or an opinion poll. I want to seek more information on that. How was it addressed? When was it addressed? To whom was it addressed? If it was received by the Secretariat, I want to know from the Secretariat what action was taken — whether it was brought before the Chairman and what action, if any, was taken. That would be useful.

Thirdly, the petitioner referred to the various confusing options given to the people who participated in the referendum. It came out during the seminar that the options were decided not by the administering Power but by the locally elected Government authorities. Again, it would be useful here if that could be clarified so that we may have a better understanding.

The Chairman: I myself have taken note of the issues that were raised in the petition of the United Nations Association of the Virgin Islands. I hope to find answers to those questions.

The petitioner withdrew.

Special Committee decision of 15 August 1991 concerning Puerto Rico

Requests for hearing

The Chairman: As members will recall, the Committee, at its 1442nd meeting, held on 10 July 1995, decided to hear representatives of organizations interested in this question. In that connection, members have before them a number of communications containing requests for hearing, which have been circulated in aide-mémoire 9/95. If there are no objections, I shall take it that the Committee agrees to accede to those requests?

It was so decided.

At the invitation of the Chairman, Mr. Harry Anduze Montaño (Colegio de Abogados de Puerto Rico) took a place at the Committee table.

The Chairman: I call on Mr. Anduze Montaño.

Mr. Anduze Montaño (Colegio de Abogados de Puerto Rico) (*interpretation from Spanish*): My name is Harry Anduze Montaño and I chair the Colegio de Abogados de Puerto Rico, on whose behalf I appear before the Committee. Since 1840, the Colegio has been serving my homeland and has brought together all its lawyers; it is a pluralistic, heterogeneous institution comprising diverse ideologies. The resolutions and agreements approved and adopted by its governing organs respect that pluralism and do not necessarily reflect the unanimous view of its members. Our institution has a proud record of studying most objectively and responsibly the legal and political situation of the people of Puerto Rico, study which results from serious work and the consistent and steadfast dedication of legal experts of varied ideologies whose professional qualifications and moral integrity are above reproach.

Our appearance here this year is especially important, since only a few days ago the United Nations celebrated the fiftieth anniversary of the signing of the Charter. Fifty years later, as we move further and further away from the spectre of a bipolar, cold-war world, the Organization faces major challenges that must be addressed with the urgency entailed by the ending of an era and in the hopes aroused by the advent of a new century full of opportunities for the world's nations.

In the face of these challenges, the General Assembly was right to declare the final decade of the twentieth century as the International Decade for the Eradication of Colonialism. Puerto Rico, my homeland, is a nation which has not fully exercised its inalienable right to self-determination.

As President of the Colegio de Abogados de Puerto Rico, a century-old organization that has appeared before this Committee many times to denounce the colonial situation in Puerto Rico, I recognize the Committee's painstaking work in favour of the self-determination of peoples. Hence, I have come to urge the Committee to adopt a resolution that, besides reiterating the right of the Puerto Rican people to self-determination and sovereignty, would recommend a course of action for the effective exercise of that right. Only in that way can this important issue be resolved before the year 2000.

In 1898, Puerto Rico, as war booty, became a possession and non-incorporated Territory of the United States. Although nearly a century has elapsed, during

which the extent of internal government in the island has increased, its subordination to the sovereign powers of the United States of America has not substantively changed. Throughout this period, including after the adoption of Law 600 of 1950, the United States Congress has retained the total authority to act and legislate with respect to the island on any matter it wishes, in accordance with the territorial clause of the United States Constitution.

Recent court decisions uphold the interpretation by which Puerto Rico remains a United States Territory. For example, as recently as 1993 the Eleventh Circuit Federal Court of Appeals stated, in the case *United States v. Sanchez*, that Puerto Rico continues to be a United States Territory, even though it received greater powers of self-government in 1952. That Federal court determined that the exercise of State power by the Government of Puerto Rico did not stem from its own sovereignty, but from the metropolitan sovereignty of the United States of America. This lack of sovereignty is precisely what, from the legal perspective, prevented the 1950 adoption of Law 600 from bringing about a change in the true political status of Puerto Rico. The Federal court concluded that Puerto Rico was and is a non-incorporated Territory and thus depends on the ultimate authority of the United States Congress to legitimize its legislative, legal and political acts. Similarly, both the Supreme Court of the United States and the First Circuit Federal Court of Appeals, along with the Assistant Attorney-General, have recognized in written opinions that Puerto Rico remains a United States Territory under complete congressional control. Two legal studies, recently published in the law reviews of the two main Puerto Rican law schools, came to the same conclusion.

These examples are in stark contrast to the refusal of the United States of America to recognize the competence of the Special Committee and of the General Assembly to oversee the self-determination of the Puerto Rican people. Yet — and perhaps ironically — it was General Assembly resolution 748 (VIII) itself that relieved the United States of its duty to report on conditions in Puerto Rico, at the same time recalling that it was for the General Assembly to decide whether a Non-Self-Governing Territory had or had not attained a full measure of self-government in the terms subsequently set forth in resolutions 1514 (XV) and 1541 (XV).

It is not for the United States to determine whether or not the General Assembly should consider the case of Puerto Rico. To the contrary, the United States, as colonial Power, is clearly barred from determining whether the case of Puerto Rico warrants reappraisal by the General Assembly. Basic legal precepts prevent the United States from serving as both party to and judge of this case. Since 1973, when it adopted a resolution reaffirming the inalienable right of the people of Puerto Rico to self-determination and independence, this Committee has been clear on the need to resolve my country's colonial dilemma. That urgency persists, and unambiguous, concrete action is required of this Committee and the United Nations.

For that reason, we respectfully request this Committee to adopt a draft resolution urging the Government of the United States to take positive steps on this issue. This draft resolution must set a firm and final one-year deadline for action: either the implementation of the results of the referendum held in Puerto Rico in 1993, in which the United States' annexation formula was rejected by 53 per cent of the Puerto Rican electors and which also called for improvements in the status quo; or, alternatively, we would respectfully suggest a binding referendum authorized by the United States Congress, held under the supervision of the United Nations, in which only decolonizing options would be included, as set forth by this Committee in its resolution of 12 September 1978.

We must point out that the Secretary of the Puerto Rican Government, one of the most authoritative political spokesmen of the present Puerto Rican governmental administration, told our country's press that the inter-agency working group set up by that very Government was not going to respond to the results of the latest plebiscite. He said that the working group lacked a strategy, describing it as "a puff of smoke" — that is to say, that it has visual effects but no real content.

This Committee must warn the United States that inaction on its part between now and the end of the one-year deadline will merely prompt this Committee to decide to refer the case for full consideration in the plenary of the General Assembly, with the recommendation that Puerto Rico be included in the list of peoples that have not yet attained full self-government. Likewise, we would once again suggest that if the United States refuses to act on the case of Puerto Rico, this Committee should recommend to the General Assembly that it request an advisory opinion from the International Court of Justice to determine, once and for all, the political status of the people of Puerto Rico in accordance with existing international law.

The discussion of the realities of Puerto Rico can no longer be deferred. As I address this Committee, I think about my people: men and women of courage and conviction who, for more than 500 years, have been kept in a political limbo that has limited their development while entrenching them in extreme dependence, thus turning them into a mere appendage to an uncaring colonial Power. This is borne out by the absence of that colonial Power today in this room.

We cannot allow Puerto Rico, an island that is small geographically but great in human value, to remain in the vice-like grip of colonialism at the turn of the twenty-first century. Postponing the final definition of the Puerto Rican nation and tolerating the existing colonial situation is a denial of the principles of self-determination and human dignity set forth by this Organization in the city of San Francisco 50 years ago. On the contrary, these times require bold action to ensure that we Puerto Ricans can at last decide, in freedom and dignity, our destiny as a nation — with no strings attached, without pressures and without limits, in full and true freedom and with dignity — nothing more, nothing less.

We would request that in future, Puerto Rican organizations be invited whenever seminars are held such as the one that took place recently in Trinidad and Tobago.

Mr. Anduze Montaño withdrew.

At the invitation of the Chairman, Mr. Noel Colón Martínez (Comisión Presidencial, Congreso Nacional Hostosiano) took a place at the Committee table.

The Chairman: I call on Mr. Colón Martínez.

Mr. Colón Martínez (Comisión Presidencial, Congreso Nacional Hostosiano) (*interpretation from Spanish*): On behalf of the Congreso Nacionál Hostosiano, I wish to thank you, Mr. Chairman, and the members of the Special Committee for the opportunity given to us once again to express our views on the colonial case of Puerto Rico.

On 14 July 1994, we appeared before you and made a number of recommendations as to the case of Puerto Rico. Those recommendations were as follows: first, that the Committee keep our colonial case on its agenda; secondly, that it take action on the petition to bring our colonial case before the International Court of Justice for an advisory opinion; thirdly, that it condemn the intensified military activity taking place in Puerto Rico under the plan to move the United States armed forces' Southern Command from Panama to Puerto Rico; fourthly, that it reiterate the necessity, now more urgent than ever, to dispatch a mission of enquiry to Puerto Rico; and fifthly, that it demand freedom for our political prisoners jailed in the United States.

With respect to these recommendations, we welcome the fact that our colonial case indeed is still on the agenda of this Committee. However, we must deplore the fact that recently this Committee held a decolonization seminar on a brotherly Caribbean island, Trinidad and Tobago, where neither the discussions nor the panelists dealt with the most conspicuous colonial case in the Caribbean: that of Puerto Rico. This omission concerns us, and we hope that it does not indicate a lack of interest or, worse yet, a deliberate decision to cast aside an item that has figured prominently on the agenda of this Committee for the last 23 years.

The stationing of the Southern Command in Puerto Rico drew strong objections from the most alert sectors of the independence movement, as a result of which we can now hail the decision of the United States Government to establish the Command in the continental United States instead. This does not mean that the intensification of military activity has come to an end, as is clear from the most recent plan to set up a very-long-range military radar in the Lajas valley, one of the most fertile valleys of our national territory, thus appropriating one of the largest areas necessary for our economic and agricultural development.

Our other 1994 recommendations have not yet been acted on, but are daily gaining in importance. The request to dispatch an mission of enquiry has been made repeatedly by the independence movement over the years, particularly when some sort of referendum seemed in the offing. Notwithstanding the repeated requests to this end and contrary to the procedure followed by this Committee with regard to other colonial Territories, the Committee, in its almost 35 years of existence under General Assembly resolution 1514 (XV) and in the 23 years that the question of Puerto Rico has been kept under review, has dispatched no such mission to Puerto Rico.

Given the mandate of this body to implement resolution 43/47 of 22 November 1988, which requests that a plan of action be adopted with a view to eradicating colonialism throughout the world during this decade, we find it incomprehensible that this Committee did not include on its agenda for this Decade the

dispatching of a mission of enquiry to the colonial Territory of Puerto Rico. We urge this Committee once again fully to shoulder its responsibilities under its mandate, including the dispatching of such a mission to Puerto Rico within the next five years.

This Committee has indeed earned a glorious place in the pages of the history of the national liberation movement in Puerto Rico. Its solidarity with our struggle has made it easier for us to move forward despite the powerful Government that is stifling our national sovereignty. One of those beautiful pages was written when, on the heels of an intensive campaign of work done by all sectors throughout our society, with the support of the international community and led mainly by this Committee, the then United States President, Jimmy Carter, granted an unconditional pardon to our national heroes who were then still jailed in the United States for their action against foreign dominion. For that support we shall always be grateful to this Committee.

However, some of our national heroes are still suffering unduly harsh sentences imposed as a result of their patriotic actions. These political prisoners need the support of this Committee just as much as the national heroes of those days did. The clamour for the release of these patriots already transcends political ideologies. Congressman Luis Gutiérrez, a Member of the United States House of Representatives of Puerto Rican origin, has called for their release and has won the backing of other Members of Congress.

The President of the House of Representatives of Puerto Rico, Mr. Zaida Hernández Torres, who is Vice-President of the New Progressive Party and a firm believer in statehood for Puerto Rico, has also made statements in support of freedom for the Puerto Rican political prisoners. On this issue there is wide consensus in Puerto Rico. So it is necessary for the international community to take a public stand, and especially this Committee in its role of mediator with the Government of the United States, so that the latter will listen to and act on our request that the Puerto Rican patriots be released from prison.

By the same token, together with the efforts that our own people will have to exert, we need the backing and the initiatives of this Committee to attain the goal that we have set for ourselves — the goal of bringing our demands before the International Court of Justice in the Hague. When we addressed the Committee last year we echoed the words of the statement made to this Committee by the Colegio de Abogados of Puerto Rico, and we call upon this Committee, as we did then, to consider recommending to the General Assembly that it ask the International Court of Justice for an opinion on the status of Puerto Rico under existing international law. It is in our interest to be the vanguard in the quest for peaceful solutions that conform with existing international law and, thus contribute to the creation of a world governed by law, justice and peace.

The situation reflected in the colonial case of Puerto Rico is not the exclusive business of United States domestic politics; it is a subject directly incumbent upon the international community — in particular, upon this Committee — just as it is the business of our people. Once again we ask the Committee to participate in the creation of a fresh precedent of peaceful and lawful transition from colonialism to liberation. We need its support as a Committee in bringing our case before an impartial body where we can sit down on equal terms with the colonizing Power and discuss our just demands.

The protection of the environment has been an issue of interest to this Committee inasmuch as colonial Territories are ready-made victims of the economic interests of the administering Powers. Puerto Rico is now waging a struggle against the plans of a United States mining consortium that intends to extract copper, using open-pit technology, in the central mountainous area of the island. Environmental scientists have already alerted us to the ecological disaster that such extraction would trigger on our national territory. The Puerto Rican legislature has adopted a law prohibiting open-cast mining. Notwithstanding all this, the mining companies are proceeding with their plans and have unleashed a multi-million-dollar public-relations drive in an effort to hoodwink our people with promises of riches for all.

We are alerting this Committee to the outrage that is to be perpetrated on our national territory for the profit and benefit of a corporation under the flag of the administering Power, and we reiterate once again the need for the early dispatch of a mission of enquiry to Puerto Rico to examine this and, indeed, other subjects.

The case of Puerto Rico, as an objective colonial reality, must be an important part of this Committee's agenda. Its resolution cannot continue to be postponed, put aside or ignored. The Committee's agenda would remain tragically unresolved if no progress were made towards a final resolution of this situation. The Puerto Rican people must have the backing of the Committee as it moves towards decolonization.

Long and hard has been the road we have travelled together. Along the way our people has made whatever efforts it could, and it continues to do so. We hope and expect that this Committee will use its powers, remembering that we cannot talk about an end to colonialism so long as a people such as that of Puerto Rico continues to have a political life without sovereignty and full independence.

It is appropriate to recall that there is not now any proposal or draft whatsoever before the United States Congress aimed at putting an end to the existing colonial relationship. There is domestic machinery of marginal significance to gather data for the United States executive branch, but the people running this machinery obstinately consider our colonial case as a domestic problem that is off-limits to this international Organization. This machinery only serves the ultimate purpose of keeping the Puerto Rican nation divided by prolonging a regime of political domination that the General Assembly, by a resolution of as long ago as 1988, decided should be terminated.

For all these reasons we venture to make the following recommendations to the Committee: first, that it reaffirm the Puerto Rican people's right to self-determination and independence; secondly, that it keep the colonial case of Puerto Rico on its agenda; thirdly, that it express its solidarity in securing freedom for Puerto Rican political prisoners incarcerated in the United States; fourthly, that it condemn the installation in Puerto Rico of sophisticated military communications technology that stifles the economic development of Puerto Ricans and impairs the territorial integrity of the country; fifthly, that it acknowledge the need for a mission of enquiry; and sixthly, that it take action on the petition to bring our colonial case before the International Court of Justice for an advisory opinion.

Mr. Colon Martínez withdrew.

At the invitation of the Chairman, Ms. Eunice Santana Melecio (Nuevo Movimiento Independentista de Puerto Rico) took a place at the Committee table.

The Chairman: I call on Ms. Santana Melecio.

Ms. Santana Melecio (Nuevo Movimiento Independentista de Puerto Rico) *(interpretation from Spanish):* I am Eunice Santana Melecio, an ordained minister of the Christian Church Disciples of Christ, a President of the World Council of Churches and President of the New Puerto Rican Independence Movement.

I come before the Committee to single out some of the most striking aspects of our colonial reality — aspects that make it even more urgent and necessary than ever for the Committee to take steps to put an end to this situation.

It is incredible that, with humanity so close to the beginning of a new century, and almost 100 years after the United States Government seized Puerto Rico, we should still be labouring under the colonial yoke. We draw the Committee's attention to the fact that the United States Government now appears to be too busy resolving its internal economic and political affairs to devote any attention whatsoever to Puerto Rico. This threatens us with the ignominy of reaching 1998 without having won our self-determination and freedom.

This, however, does not mean that the majority party of the latest Government to administer the colony has ended its commitment to ensuring Puerto Rico's annexation to the United States. When it was handed defeat at the ballot box in a vote pushed by the Governor and his political party at a time when they believed the moment to be ripe for victory, they changed their approach, adopting subtle changes which, far from negating statehood, are gradually moving us closer to the colonizing Power. We suspect that this is being done with the collusion of certain sectors in the United States, such as the corporations protected under section 936 of the United States Internal Revenue Code and the United States Navy, which benefit from the colonial situation while they seriously jeopardize our collective life and our future as an independent and sovereign Puerto Rican nation.

The colonial reality of Puerto Rico is intolerable and untenable. We have come before this forum precisely because we are not talking about abstract notions but of the day-to-day experiences of an entire people: powerlessness and a lack of security; an exaggerated dependency and lengthy waits full of uncertainty and at the mercy of the decisions of others; a loss of self-esteem and the fear of being annihilated or of losing our identity, to name just a few aspects of our situation.

Everything that is happening to us as a people and as individuals is somehow related to the colonial problem. We are constantly running up against the fact that we have no way of resolving our domestic problems because of a lack of power to act. Examples of this include the law on freight, which prohibits our use of the merchant marine of any country other than the United

States for commercial transactions, as well as control by the military which seems as if it will last for ever. These days, while a struggle is being waged by workers and broad sectors of our people against the Government and its imposition of changes in several labour laws, there are plans to mobilize the misnamed National Guard of Puerto Rico, which is nothing other than the infantry of the United States Army in Puerto Rico. This negates the practice of democracy and nurtures colonialism. We are living with a monster within our very entrails, devouring us. We cannot rid ourselves of it, and no one will help us excise it.

The fiftieth anniversary of the end of the Second World War was recently commemorated in various parts of the world. Although that war unfolded far from our shores, in Puerto Rico we are suffering its effects to this day. It was during that war that the United States Navy seized most of the municipal island of Vieques, in open violation of the dignity and the human and civil rights of many Vieques families. Ever since, it is as if we have been under a curse, that we have not yet been able to lift. Worse still, it would appear that efforts are being stepped up day after day to turn its status into a permanent, all-inclusive one, making the reality of war into a constant presence in our lives as a peace- and justice-loving people.

Now, the Navy wishes to seize a part of the Lajas Valley in southern Puerto Rico to install antennae that would make it possible, by its own admission, to cover the entire Caribbean and the northern part of South America. They will allegedly serve to control drug trafficking. We are all aware that, with the end of the cold war, the United States set up a new war to justify its military power, maintain its war industries and control other peoples through brute force or, at least, by making them serve as mercenaries.

According to the information available to us, the plan consists of building some 744 antennae on a 200-acre corridor of land and a structure of 6,300 square feet to house the operational command. In Vieques, 34 antennae would serve as transmitters. The centre of operations would be at the Norfolk naval base in Virginia. The Lajas Valley is one of the most fertile and we all feel that it should be used for agriculture. Our people are all agreed on that score.

On behalf of the community of Vieques and at its request, we make this denunciation. The Committee to Save and Develop Vieques has asked us to bring its demands before the Committee. These demands are ours too, since the people of Vieques could not attend themselves. Back there, bombardments are an ongoing daily reality. The community is constantly assaulted by the noise and by the insecurity of living in a battlefield.

Faced with the demand of the Vieques community to reclaim some 27,000 acres of land now under Navy control in order to raise crops there, the Navy recently announced its plan to lease some 1,000 acres for farming to the Vieques community. Such a response indicates a lack of respect and humanity on the part of those who believe themselves to be the masters of the universe in general and of our country in particular.

We denounce the fact that the United States Navy allegedly lost an atomic bomb in the waters of Viques in 1966. It has yet to be found. When a Puerto Rican television channel recently aired a report on the matter, the military's response was to threaten the reporter and to contact the United States Federal Communications Commission, which controls communications in Puerto Rico, in an attempt to have the channel's operating license revoked. The reach of colonialism's tentacles is vast. The people have yet to receive any information or explanation on the matter.

Accidents often occur with live bombs. Last year they dropped one which missed the community below by a few mere seconds. By its own admission, as has been revealed in a local magazine, the Navy has used napalm in Vieques in 1992, despite the fact that that substance had been banned after its use in Viet Nam.

Through us, the community of Vieques wishes to convey to the Committee its concern over its high rate of cancer and respiratory illness, and its poor quality of life, which result from the presence of the Navy. They know that this is the forum to which they must turn with their denunciations of the barbarity that stems solely from our colonial situation. Fishermen are now reporting harassment and intimidation through being photographed and monitored while at work. There is a concern about spent uranium from the Persian Gulf war. In that connection, families in Vieques have expressed the need for impartial and effective studies to protect the lives of the inhabitants. We beg the members of the Committee to open their ears, their minds and their hearts to these calls.

We highlight Vieques because it is a microcosm of Puerto Rico. Members can see our situation reflected in the testimony placed before them. Despite their tenacity,

resistance, struggle and dignity, our people continue to be abused.

Because of our colonial situation and its absurdity, and because of the systematic violation of our human rights and our very right to exist, we live in struggle, but under constant surveillance. Today we join with all those across the length and breadth of our island who demand freedom for Puerto Rican political prisoners held in United States jails. We demand the most humane treatment for them while they are imprisoned. We hope and expect they will soon be released by the President of the United States, thanks in part to the support of this Committee.

The United Nations has declared this the International Decade for the Eradication of Colonialism; to date it has been hard to see how it will be implemented in the case of Puerto Rico. We are now half-way through the Decade. We — like, I am sure, the members of this Committee — are impelled by the concept of decolonization. Members must act to begin a process in keeping with resolutions 1514 (XV) and 43/47, by which the Decade was proclaimed.

We recall the position adopted by the ministerial meeting of the Non-Aligned Movement held last year at Cairo:

> "The Ministers recalled the relevant resolution on Puerto Rico adopted by the United Nations Decolonization Committee, with the support of the Latin American and Caribbean countries that are members of the Committee, and reaffirmed the inalienable right of the Puerto Rican people to self-determination and independence in conformity with resolution 1514 (XV) of the United Nations General Assembly. They expressed their confidence that a legal framework will be adopted at the earliest possible date to enable the Puerto Rican people to exercise this right in accordance with the United Nations Charter." *(A/49/287, para. 48)*

At this time of integration and of the search for solutions to problems through coordinated efforts, it is unnatural to isolate Puerto Rico from the rest of the Caribbean and Latin America. Puerto Rico needs to be independent to take its place as a Caribbean and Latin American nation along with the other countries of the region, in the quest for genuine solutions to the problems of island nations, nations that can have a bright future to the extent that they manage to work hand in hand.

We trust that the Committee will live up to the requirements of this historic moment. For our part, we shall stand firm, playing our part. We need the Committee on decolonization to take action; it bears the responsibility to keep Puerto Rico on its agenda and to spark a process that will result in a definitive solution to the colonial problem of Puerto Rico, which is not just our problem, but is a problem for all mankind.

Ms. Santana Melecio withdrew.

At the invitation of the Chairman, Ms. Ana M. López (National Committee to Free Puerto Rican Political Prisoners and Prisoners of War) took a place at the Committee table.

The Chairman: I call on Ms. López.

Ms. López (National Committee to Free Puerto Rican Political Prisoners and Prisoners of War): I will be addressing the Committee in English, primarily because part of the Puerto Rican nation has been forced to emigrate to the United States, and I am a product of that migration. But that does not mean that we stop being Puerto Rican and a part of the Puerto Rican nation.

My name is Ana López, and I am the coordinator of the New York chapter of the National Committee to Free Puerto Rican Political Prisoners and Prisoners of War. Our committee has been sending representatives to the Special Committee for more than 15 years, providing it with information regarding the capture of Puerto Rican freedom fighters, their trials in United States domestic courts and their imprisonment, where they serve disproportionate sentences ranging from 35 to 106 years, and providing the Committee with updates on their inhumane prison conditions, which violate all canons of international human rights law. These conditions are a microcosm of the general colonial conditions that exist in Puerto Rico and in Puerto Rican communities in the diaspora since United States militarily invaded Puerto Rico in 1898.

Every year we come here, and as we pass through the entrance of this grand edifice built 50 years ago, we see the flags of all nations afloat. We see the flags of the various countries of the members of the Committee which are represented in this international forum. But when Puerto Rican people rise and fight to claim what rightfully belongs to them — the national territory of Puerto Rico — utilizing all means at their disposal as a colonized nation, the United States imprisons our people

and criminalizes our just and noble cause of self-determination and independence. The Puerto Rican prisoners of war and political prisoners are incarcerated because they want a sovereign nation; because they have resisted United States colonialism with the use of arms, which is a recognized right of colonized people. They want their single-star flag to fly alone, not with the United States flag at its side, which only reminds us of our continuous colonization. There is a popular Puerto Rican folk song that says, "We want Puerto Rico to be sovereign, because the star of our flag does not fit in the United States flag". Symbols such as a flag are very powerful for the Puerto Rican people even after 97 years of resistance to United States colonization. To us, our incarcerated freedom fighters are our flag, and require much protection and vigilance.

The importance of the amnesty campaign for the unconditional release of Puerto Rican prisoners of war and political prisoners culminated in an important development on 10 December 1994 — Human Rights Day. On that day, we published in the *New York Times* an open letter to the President of the United States in which all Puerto Rican political parties, industrial leaders, union leaders and elected officials — from Puerto Rico as well as the United States — asked the President to exercise his presidential power and grant amnesty to all our freedom fighters. The President of the United States has yet to respond to this collective political consensus, reached in 1994. This same open letter was published in other major newspapers. Over 20,000 petitions making the same request have been sent to Attorney General Janet Reno and President Clinton. The three Puerto Rican Congresspersons in the United States have approached President Clinton with the same request.

What has been the result of all these efforts? Weeks after this political consensus was reached, the Bureau of Federal Prisons, under the responsibility of Janet Reno, proudly announced that it had transferred prisoner of war Oscar López-Rivera from the notorious Marion federal prison to its "Alcatraz of the Rockies Super Max". This infamous federal prison is located in an isolated area of Florence, Colorado. Prisoner of war Oscar López-Rivera was kept in a control unit. He is in a cell 24 hours a day, deprived of sleep, socially isolated and constantly strip-searched at the whim of prison officials. During these strip-searches, they look into all his body cavities and poke at him to humiliate him. He has not had contact visits in the last nine years, meaning that all his visits with friends and family have taken place through four-inch-thick glass, with telephones that are defective on both ends. All these conditions are recognized as forms of psychological torture, which constitute severe violations of human rights. This was the United States response to our political efforts for our Puerto Rican freedom fighters: increasingly severe and inhumane prison conditions that violate human rights.

These violations are as follows. The sentences given the prisoners are excessive and disproportionate. The prisoners are subjected to psychological torture and abusive prison conditions. They have already served more time than most prisoners are made to serve, including those convicted of homicide. The average sentence imposed on Puerto Rican prisoners of war and political prisoners is 500 times greater than that given to common prisoners for murder, kidnapping, rape or robbery. All our incarcerated patriots are imprisoned thousands of miles from family and friends, adding to their isolation and torture. All have been kept in control units, deprived of medical attention, denied visits, and their mail and legal visits have been interfered with. In addition, the Puerto Rican women prisoners have been subjected to sexual abuse by male guards in the prisons.

The prison conditions that our compatriots have endured can be equated with the irreparable harm and damage that colonialism has inflicted on the Puerto Rican nation.

Although international law is clear as to the criminal nature of colonialism, we want to point out how the latter has constituted genocide against the Puerto Rican people. Article II of the Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the United Nations General Assembly on 9 December 1948, declares that genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical racial or religious group:

"(a) Killing members of the group.

(b) Causing serious bodily or mental harm to members of the group;

(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

(d) Imposing measures intended to prevent births within the group" *(resolution 260 A (III), annex, article II).*

We charge that the United States has committed genocide with respect to those four points. There are other areas where we find that active colonialist measures are contributing to the genocidal war on the part of the United States against Puerto Rico.

Education can also be an instrument of cultural genocide. Since 1900, the United States control of the educational system in Puerto Rico has been a tool of the colonizer to destroy Puerto Rican culture, distort its history and impose the United States version of history. This reality was clearly expressed in the words of Victor S. Clark, a North American and the President of the Board of Education of Puerto Rico, in an 1898 report to the United States military government of the island:

> "If the schools are Americanized and the teachers and students are inspired with the American spirit ... the island would be converted in its sympathy and point of view and attitude towards a government essentially American. The Puerto Ricans are still passive and flexible ... their ideals are in our hands to create and mold".

The island's educational commission, appointed by the United States, expressed its view on why the public school system of Puerto Rico should teach in English:

> "We are totally of the opinion that teaching should take place in English. Puerto Rico is now, and will be from now on, a part of the American possessions, and its population will be American".

The United States intent to annihilate Puerto Rican culture and to impose its own, in order to ensure political tranquillity and stability, became the educational guideline for the next 50 years. This policy of cultural genocide became most evident with the abolition of Spanish as the language of instruction in this Spanish-speaking country and the attempt to substitute English as the official language in the schools, courts and in commerce. This genocidal programme also included the promotion of American cultural activities, particularly the celebration of traditional American holidays that have no cultural or historical basis in Puerto Rican tradition.

In the face of unrelenting resistance on the part of the Puerto Rican people, the United States acknowledged its failure to eradicate the Spanish language in Puerto Rico when, in 1948, it was forced to re-establish Spanish as the official language in the schools. But to this day, the United States imposes its ideological content on our schools, and history books continue to present a distorted history of our people. References to our national heroes and patriots are omitted, and our country's wealth of natural resources is denied. Instead, the image of an impoverished island is created in order to develop and maintain a mentality of dependency. Our history and its Spanish, African and Taino origins are minimized, while the history of the United States and its presence on the island is emphasized, along with United States historical figures and their colonial puppets on the island. School literature is carefully selected so that Puerto Rican children will feel allegiance to the United States and not to Puerto Rico.

The United States realized that to destroy the Puerto Rican national identity, it was necessary to do away with all centres of cultural and intellectual resistance. The United States has used the colonial administration to suppress two areas of national consciousness. In the 1970s, as a result of student strikes and takeovers, the Government divided the University of Puerto Rico into nine campuses in order to break the unity of the student movement.

Another area of attack upon the Puerto Rican national identity has been the attempt to eliminate the Institute for Puerto Rican Culture which, since 1956, has served to preserve and promote the cultural heritage of our nation.

These attempts to eliminate Puerto Rican culture are a means for the United States to better control their colonial subjects. The United States understands that within a people's culture lies their strength and a source of resistance.

I turn now to the question of forced emigration and the dispersion of the Puerto Rican nation. Under the false claim that Puerto Rico was overpopulated, the United States and its colonial puppets arranged for the emigration of two fifths of the population of Puerto Rico into the dilapidated urban areas of the United States as a source of cheap labour. The motivation for the United States to implement these emigration policies was the existence of a workers' movement on the island that began to see the Nationalist Party as better able to represent their labour interests. This was clearly apparent during the sugar cane strike of 1936, when the workers called upon Don Pedro Albizu Campos — then President of the Nationalist Party — to represent them in the dispute with the United States sugar corporations. In addition, the impact of the United States depression upon

Puerto Rico created conditions for resistance against United States domination of the island.

These factors motivated the United States to implement an "escape valve" approach to defusing conditions for insurrection on the island. The decision was made by the United States to send corporate representatives to the island to make false promises of a better life in the United States. This was further supported through the United States subsidy of air and sea transportation to facilitate the exodus of Puerto Rican people from the island. Our people's desperate need to escape the economic conditions created by the United States led to the emigration of 18,700 people between 1940 and 1950, and 615,000 between 1950 and 1970. During this time period, the falsity of the United States claim of Puerto Rico's "overpopulation" became apparent when the United States helped to bring 275,000 right-wing Cuban exiles and North Americans to Puerto Rico to take jobs that would otherwise have gone to the Puerto Rican people and to increase the proportion of pro-American political sympathizers in the total population. This is the cause of the present Puerto Rican diaspora of about 3 million, who live in the United States; 3.5 million live on the island. This constitutes the largest forced emigration relative to population in the western hemisphere and is a result of United States political and economic policies affecting the island, which still continue today.

The Puerto Rican people forced to emigrate to United States cities found themselves in subhuman living conditions, working in sweat shops or in semi-feudal conditions in agriculture. All have been subjected to the racism of United States society, in which the racist practice is to denigrate the language, customs and values of newly arrived immigrants.

Another area where this genocide is being implemented, as mentioned by other petitioners, relates to mining and the destruction of the ecology of Puerto Rico as another way to depopulate the island. Today, the United States continues to depopulate the island of Puerto Rico in an attempt to have United States and other foreign mining companies acquire the lands of the central regions of the island for the strip mining of strategic metals. The depopulation of Puerto Rico was also achieved by the massive sterilization of 40 per cent of women of child-bearing age and 25 per cent of men by the 1970s. The sites where the greatest sterilization took place coincide with the strategic mining sites. The project is called the 2020 Plan and has already involved the forced expropriation of lands from the people who live in the mining areas. The 2020 Plan is supposed to be completed by the year 2020 and will convert Puerto Rico into a military-industrial colony to extract strategic metals for the military arsenal. All the infrastructure has been completed to execute this plan. The process of developing 11 military industrial parks near United States military bases is under way; these will process all the strategic metals that will be derived from Puerto Rican lands. On 4 July there were massive protests in the mountain towns of Adjuntas, Utuado and Lares aimed at stopping the mining of copper illegally authorized by the colonial Government.

The United States will reap vast economic benefits from the 2020 Plan. Puerto Rico is 100 by 38 miles, or 34,423 square miles. Each open pit for copper mining will be one mile wide and 1,000 feet deep. The consequences of this mining are severe as it will threaten the balance of the ecology and contaminate all the water supplies of the natives, making it impossible to live in Puerto Rico. The result of this mining will be to transform Puerto Rico's central mountain towns, which produce the richest coffee in the world, into desolate contaminated terrain. This is genocide.

In this International Decade for the Eradication of Colonialism, Puerto Rico continues to be a colony. It is the moral duty of the Special Committee to end colonialism in all its forms, even against a powerful imperialist country like the United States. We respectfully request that, when the Committee has reviewed my statement, its resolution should include an urgent demand that the United States transfer all powers to the Puerto Rican nation so that it can exercise self-determination and independence and demand that the United States unconditionally release all Puerto Rican political prisoners and prisoners of war held illegally in United States prisons, repatriate exiled independence fighters and not prosecute those living clandestinely.

Long live a free, sovereign and independent Puerto Rico! Free all Puerto Rican prisoners of war and political prisoners right now!

Ms. López withdrew.

At the invitation of the Chairman, Mr. Fernando Martín (Puerto Rican Independence Party) took a place at the Committee table.

The Chairman: I call on Mr. Martín.

Mr. Martín (Puerto Rican Independence Party) (*interpretation from Spanish*): My name is Fernando Martín García, Vice-Chairman of the Puerto Rican Independence Party, on whose behalf I appear before the Committee. I congratulate the Committee on its decision to hold these hearings on the colonial case of Puerto Rico, through which it can gather information on recent political and legal developments in the relations between Puerto Rico and the administering Power, the United States of America. The continued examination and consideration of this case is telling proof that in the eyes of the international community the people of Puerto Rico continue to be subjected to a regime of political subordination and, therefore, a major exception to the full implementation of General Assembly resolution 1514 (XV).

In November 1993, the colonial Government, which favours annexation, held a referendum in Puerto Rico to determine preferences as to its political status. Although the referendum, which was not binding under either international or United States law, was biased in favour of annexation, that spurious choice was defeated. The combined forces of those favouring greater autonomy through changes in the present regime and of those of us who favour independence and who participated in the voting exceeded 50 per cent of the votes. The results were conveyed to the Congress and the President of the United States, with an appeal from the Puerto Rican legislature that Congress should respond to them. The grounds for the holding of the local-government-sponsored referendum in November 1993 was precisely the reluctance of Congress in 1991 to adopt legislation on holding a plebiscite under United States auspices and its view that the Puerto Ricans themselves should be the ones to take the initiative to propose changes to the relationship.

Although early in 1994 the office of the President of the United States announced that it would set up a special interagency committee mandated, *inter alia*, to recommend to the United States Government a course of action on Puerto Rico on the basis of the results of the 1993 referendum, it was not until the beginning of 1995 that the inter-agency committee was formally established. According to its own sources, the committee has begun its work and will have met with all the main political parties by the beginning of next month, when the Independence Party will appear in response to an invitation issued to it. To date, there is not the slightest indication of any particular date by which the committee intends to complete a report containing recommendations.

This lack of effective action on the part of the executive branch has been compounded by the absence of concrete congressional initiatives in response to the result of the poll. The United States House of Representatives committee that has jurisdiction over Territories and possessions and which is now under the control of the Republican Party has announced that it will hold hearings, to begin in September, to hear opinions in Puerto Rico and the United States with a view to introducing legislation in response to the result of the poll. This could be an opportunity to reactivate the deliberative and investigative process in Congress with respect to the political future of Puerto Rico. It might also establish the right political atmosphere for encouraging the inter-agency committee to take a meaningful stand on the issue, since without a doubt the Congressional Committee will request the views of the White House in the hearings.

These developments — which are potentially positive, since we believe without false hope in the need to encourage a review of the case of Puerto Rico by the United States Government — have come about largely in spite of the efforts of the annexationist Government and the official representatives of the party that sponsors the present colonial regime, which would prefer that the subject of the status of Puerto Rico not be discussed in the United States Congress or Government. The former fear that such a discussion would result in a rejection by Congress of the very possibility of annexation, while the latter fear that the conclusion of any deliberation would ultimately discredit the present regime of political subordination.

Those of us who have some experience in addressing the issue of Puerto Rico's political status know that there are no grounds for heroic optimism. But we also know that we should not overlook any opportunity to strengthen our hold in the area of debate on Puerto Rico in the United States, if only because the forces among us who favour genuine decolonization have no better instrument available at present than the stimulation and promotion of an awareness in the United States of the contradictions and dangers involved for that country of perpetuating colonialism or of any possible future initiative in favour of annexation.

The time is therefore ripe for an attempt to be made, both by the international community and by those sectors of the United States Governments that most clearly discern that need, to initiate positive steps on the need for Puerto Rico to transcend its present colonial

status. One step in that direction would certainly be the decision to release Puerto Ricans imprisoned for activities relating to the struggle for Puerto Rican independence. Such a decision would not only be an act of justice and a gesture of reconciliation with the Puerto Rican independence movement, which has been ferociously persecuted and harassed in recent years; it would also be an acknowledgement of the political and economic changes in the world and the region that require a new attitude in the United States towards Puerto Rico and the appropriateness and legitimacy of its aspiration to exercise its full sovereignty. My party is pledged to carrying out those effective steps within the governmental and political world of the United States in order to win such a decision on political prisoners.

I am confident that next year — especially once the question of the presidential candidates of the respective United States political parties has been settled — we shall see an intensification of the debate on Puerto Rico in the United States. We will also see emerging with greater clarity the parameters of a settlement of the colonial case of Puerto Rico.

In this process, the attitude of vigilance and persistence demonstrated by this Committee — a repository of morality and international public opinion — should serve as a spur to ensure that this process, in this International Decade for the Eradication of Colonialism, culminates in full sovereignty and independence for the people of Puerto Rico.

Mr. Martín withdrew.

At the invitation of the Chairman, Ms. Jennifer Green (Center for Constitutional Rights) took a place at the Committee table.

The Chairman: I now call on Ms. Green.

Ms. Green (Center for Constitutional Rights): I am a staff attorney with the Center for Constitutional Rights (CCR). The Center has long worked to support Puerto Rican independence and against the government repression of activists working to end United States colonization. This year, with only minor variations, the repression continues unabated. The United States Government continues to imprison and harass activists who have advocated Puerto Rican independence, to deny activists and family members of those murdered access to government records, and to deny individuals the right to claim their own citizenship. Police officials continue to abuse their authority. The United States military continues its destructive presence and the Navy has plans for a new radar system which promises to wreak additional environmental and economic havoc.

Concerning the detention of those fighting for Puerto Rican independence, CCR, the American Association of Jurists and Offensiva '92, a Puerto Rican amnesty group, filed a petition before the Inter-American Commission on Human Rights of the Organization of American States (OAS) in October 1993 on behalf of 15 Puerto Rican political prisoners, most of whom have been imprisoned since 1980. This year we have provided the text of this petition to the Special Committee. We urge its members to consult this document, which also provides a summary of the legal arguments about the illegality of the colonization of Puerto Rico.

The OAS petition asserts that the criminalization of political activities and the continued imprisonment of the *independentistas* violate the Charter of the Organization of American States, the American Declaration of the Rights and Duties of Man and customary norms of international human rights law.

The men and women prisoners were given excessive, politically punitive sentences which were grossly disproportionate compared to those of non-political defendants. For example, 11 of the 15 prisoners who were convicted of seditious conspiracy and related offences received an average sentence of 70 years, while the average sentence between 1966 and 1985 for all persons convicted of homicide in the United States was 22 years, for rape 12 years, and for weapons and firearms violations four years.

In addition to the length of the sentences, the *independentistas* were placed in special isolation or solitary confinement prison units, such as the notorious Lexington women's prison, and suffered physical abuse, punitive transfers and other discriminatory treatment. Prison conditions at Lexington and in the Marion, Illinois, maximum security prison for men have been censured by such international human rights organizations as Amnesty International. This documentation has been submitted with the OAS petition and can be supplied to this Committee. Today, one of the prisoners, Oscar López-Rivera, languishes in the new special federal high-security prison in Florence, Colorado.

The petition requests that the Inter-American Commission accept the cases of the prisoners for review

and then direct the United States Government to release them or, at a minimum, allow them to be exiled to a country whose Government is prepared to grant them political asylum.

The documents submitted to the OAS include statements in support of the political prisoners by organizations and individuals including the Commonwealth of Puerto Rico House of Representatives and Senate, former New York City Mayor David Dinkins, the International Association Against Torture, the International Association of Democratic Lawyers, the National Conference of Black Lawyers, the National Council of Churches of Christ in the USA, the National Lawyers Guild, the United Church of Christ, the United Methodist Church and the University of Puerto Rico Department of Psychology.

As members of the Committee are no doubt aware, to present a claim to the Inter-American Commission, petitioners must show that they do not have an effective remedy in United States courts. Supplemental submissions were made to the OAS Commission with these arguments in January and September 1994. One indication of the hostility of United States courts to the claims of the *independentistas* is the ruling that arguments about the international law of decolonization are "irrelevant". This limitation severely hampers the right to due process of Puerto Ricans struggling for independence.

Other attacks on activists continue. One of them is the practice of illegal political surveillance, notwithstanding its clear and firm prohibition by the Supreme Court of Puerto Rico. Activists continue in their efforts to obtain United States Government documents, and Government authorities refuse to disclose the full extent of their illegal activity.

Last year, cabinets full of political intelligence files that the Supreme Court had ordered returned to their subjects or destroyed were found in the police departments of Mayaguez and Arecibo. Other political intelligence files have been maintained by the intelligence division of the Puerto Rican telephone company.

The United States Government also continues to withhold documentation about past attacks on activists. To cite just one example, in 1976, Santiago Mari Pesquera, a pro-independence activist, was assassinated at the age of 23. One person was convicted for his murder, but in 1984, the district attorney involved in the original investigation argued that there was a possible cover-up and that the murderer had met privately with a Central Intelligence Agency agent. CCR represents Santiago's father, Juan Mari Bras, in his efforts to obtain the files and any other information from the United States Government about his son's murder.

Police misconduct and the suspension of civil liberties represent another issue. Public housing projects in Puerto Rico have been taken by assault and occupied by the National Guard — trained and financed by the United States Armed Forces — in violation of fundamental human rights as provided for in the United States and Puerto Rican Constitutions and international human rights law. The Governor of Puerto Rico claims an inherent power to suspend normal constitutional guarantees and to use military force to control the civilian population.

The United States Government continues to deny Puerto Ricans one of the most basic human rights: the right to determine one's own nationality. Hundreds of Puerto Ricans affirm their Puerto Rican nationality by signing sworn affidavits seeking to renounce United States citizenship and claim that of Puerto Rico. The United States refuses to recognizes the gesture. Again, the case of Juan Mari Bras is illustrative. Last July, Mr. Mari Bras presented himself to the Venezuelan embassy and renounced his United States citizenship. According to United States immigration officials, this gesture, when certified by the United States Government, results in the status of "foreign undocumented national", not in a recognition of citizenship of Puerto Rico. However, to date, the United States State Department is still refusing to recognize Mr. Mari Bras's exercise of his right to renounce his United States citizenship.

Puerto Rico continues to serve as a military testing and proving ground for United States weapons and methods of warfare, to the detriment of the people whose land and livelihood is taken.

The United States Navy is currently developing the Lajas project, which, as my colleagues have mentioned, is a system for the detection and control of drug-related illegal activities. It is planned to build the radar centre in the heart of the fertile agricultural south-western town of Lajas, and the centre consists of a transmitter and receiver separated by at least 50 miles. The project will involve locating 744 receiving antennas, each 19 feet high, through 200 acres of sugar cane, alfalfa, rice and cattle fields.

The transmitter will be built on Vieques, a 33,000-acre island 50 miles off the eastern coast. Residents say the transmitter would hurt a budding tourism industry being developed to offset a 50 per cent unemployment rate. The opposition to the transmitter builds on resentment of the United States naval base that already covers two-thirds of the island.

Recently, the Navy invited the Mayor of Lajas and some Puerto Rican farmers to Virginia, where hundreds of antennas sprout from the fertile Virginia valley. The purpose was to gain acceptance for the Lajas project. But after looking at the Virginia valley, the Mayor of Lajas said:

> "They are not going to do that to our valley. The valley should be saved for farming, not antennas".

On July 2 of this year, thousands of people demonstrated in Lajas against the Navy's plan. Among the demonstrators were religious officials, politicians and environmentalists. The Committee for the Rescue and Development of Vieques recently condemned the project to built the transmitter. According to a recent statement, microwaves produced by this type of transmitter present a grave potential danger to the environment and the health of the community and attack the physical integrity of historical cultural resources.

The United Front for the Defense of the Lajas Valley is another organization created by individuals of various political, religious and social sectors for the purpose of preventing the development of the Lajas project. One of the reasons they cite is the current agricultural development in the Lajas valley: the only irrigation system in use in Puerto Rico is located there. In addition, the group points to various studies that have shown the health problems caused by electro-magnetic fields.

The Caribbean Project for Justice and Peace has also denounced the United States plans to install the radar system. They contend that such a project represents a threat to national security and call on public officials to evaluate the impact of the radar on the Puerto Rican people.

The Industrial Mission of Puerto Rico Incorporated, an organization in defence of natural resources and the environment, recently published a commentary that posed some questions about the proposed radar project. It highlighted the lack of analysis of possible electro-magnetic contamination, the lack of clarity about whether the project will be used for military purposes, and the potential conflict of interest between the governmental agencies involved in the design and construction of the project and the agencies that will prepare the environmental impact statement.

Privately, United States federal officials say opposition will have little effect on the project, which is backed by the Clinton administration as the newest weapon in the fight against drug trafficking.

In addition to the Lajas project, other planned United States actions are producing detrimental effects on the Puerto Rican environment and economy.

The United States Congress recently approved a project that provides some $20 million for a river dam designed to facilitate industrial development. According to activists in Puerto Rico, this project would not be tolerated in the United States because of the success of the environmental movement in increasing awareness of the fact that the losses are so much greater than the gains in dam projects.

A national strike is being scheduled for the end of this month as a result of a bill pending in the legislature that seeks to limit the minimum wage for some sectors of the community. In addition, the legislature is attempting to create the "flexible shift", or split shift, which would eliminate overtime pay. This is yet another example of the Puerto Rican Government's efforts to bring its laws into accord with some of the worst current trends in the United States. This seems to be designed to prepare Puerto Rico for statehood, against the wishes of the Puerto Rican people.

At this session, we urge the Special Committee to consider a call for: the end of the illegal United States colonization of Puerto Rico; the immediate and unconditional release of all Puerto Rican political prisoners and prisoners of war; an immediate end to the collaboration, including training and financing, of the United States military and police forces with those of Puerto Rico; an immediate end to all repression and surveillance of political activists; the immediate release of all documentation pertaining to illegal and repressive United States Government activities; and finally, the immediate cessation of the Lajas radar project and all other encroachments on the territorial sovereignty of Puerto Rico.

Ms. Green withdrew.

The Chairman: The Committee has thus heard the last petitioner.

In keeping with the decision adopted at its 1442nd meeting, on 10 July 1994, the Committee will defer consideration of the question to its 1996 session.

Question of New Caledonia (A/AC.109/2028 and A/AC.109/L.1834)

The Chairman: In connection with this item, the Committee also has before it a draft resolution co-sponsored by Fiji and Papua New Guinea, contained in document A/AC.109/L.1834, which was circulated on 11 July.

I call on the representative of Papua New Guinea to introduce the draft resolution.

Mr. Samana (Papua New Guinea): I am grateful for the opportunity to present the draft resolution on the question of New Caledonia.

As members of the Committee will have noted, the draft resolution is basically no different from the resolution that was adopted by the General Assembly last year. There is only a minor change to paragraph 3, where, this year, there is no reference to the details of nickel mining activities at Kopeto and other economic activities. What is retained in the current formulation of paragraph 3 welcomes, in a general sense,

> "measures that have been taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon Accords".

As will have been noted, the draft resolution, in its preambular and operative paragraphs, acknowledges the cooperative efforts of all parties concerned in the development of New Caledonia to prepare the peoples of the Territory for their eventual act of self-determination in accordance with the Charter of the United Nations and in keeping with the spirit of the Matignon Accords.

In promoting the draft resolution, my delegation wishes to thank the members of the international community for their understanding and support, and the members of the Special Committee for the positive manner in which they have dealt with the question of New Caledonia over the years.

The Committee will recall that during the Caribbean regional seminar on the mid-term review of the International Decade for the Eradication of Colonialism, which was held recently in Trinidad and Tobago, expert presentations on the current situation regarding New Caledonia highlighted a number of very important factors, of which I believe most members of the Committee are well aware. In our assessment of the involvement of foreign investment activities, particularly in the mining sector, in New Caledonia, it was noted that these have had serious adverse effects on the environment and, consequently, have had an impact on the subsistence lifestyle of the Kanak population, denying them their rights to land resources and the development of their real potential through diversification. Such concerns are well taken care of in the draft resolution.

The situation in New Caledonia is indicative of the perpetuation of a colonial situation in which the indigenous population is denied the capacity effectively to influence decisions pertaining to the protection of its legitimate interests. In this connection, and in a broader perspective, I should like also to bring to the Committee's attention the fact that the continuing colonial situation in New Caledonia has permitted the maintenance of military installations and the activities of the French Government in the field of nuclear testing in the Pacific, which is a direct threat to the survival of all Pacific islanders.

The peoples of the South Pacific and their Governments strongly aspire to nuclear-free status for their region. A free New Caledonia working in partnership with the rest of the nations and peoples of the South Pacific is a desirable situation that could safeguard the interests of all South Pacific islanders. I therefore urge the international community to continue to support the cause of New Caledonia, in the interests of the right of all sectors of the community to determine their destiny in a manner that will meet their wishes and in harmony with their neighbours.

Finally, I wish once again to thank the members of the Committee for their continued backing and their understanding of the question of New Caledonia and to commend the draft resolution for their adoption.

The Chairman: As it appears that no other member wishes to speak on draft resolution A/AC.1/L.1834, may I take it that the Committee is prepared to adopt it without a vote?

Draft resolution A/AC.109/L.1834, was adopted (A/AC.109/2034).

The Chairman: The Committee has thus concluded its consideration of this item.

One hundred and second report of the Working Group (A/AC.109/L.1835)

The Chairman: I wish to draw members' attention to a typographical error. The document is entitled "One hundred first report ..." instead of "One hundred second report ...".

Are there any comments on the report?

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): Unfortunately the delegation of the Russian Federation was denied the chance to participate in the meetings of the Working Group and, therefore, was unable contribute to the preparation of its report. As we see it, the document that the Working Group adopted repeats to a large extent the content of the previous report and inadequately reflects the constructive efforts of the members of the Committee to restructure the report in a spirit of new, flexible and progressive approaches in keeping with current needs and the Committee's mandate.

It is precisely for that reason that my delegation, guided by the need further to streamline our work and to make it more effective, and to enhance the Committee's prestige and authority, would like to propose a number of amendments to the text that the Working Group prepared.

Before putting the amendments to the Committee for discussion I should like, through you, Mr. Chairman, to ask the Secretariat to clarify some points.

First, could the Secretariat provide some comparative indicators as to the numbers and length of meetings of the Special Committee of 24, the Subcommittee and the Working Group over the past two years?

Secondly, how much does the Secretariat estimate that we would save by dropping the practice of having a separate working document on each issue, in favour of a consolidated document, in line with the new approach of the Subcommittee on Small Territories, Petitions, Information and Assistance?

Thirdly, what savings might be achieved if the working documents of the Committee's secretariat were to cover a period of two years, with annual emendations to reflect really new and truly important events?

To facilitate our work, I should like to have some responses to my questions and then to put on the table for discussion, paragraph by paragraph, the proposed changes to the Working Group's report.

The Chairman: I call on the Secretary of the Committee.

Mr. Dmitrichev (Secretary of the Committee): With the regard to the questions addressed to the Secretariat by the delegation of the Russian Federation, I am in a position to say the following.

The first question related to the number of meetings of the Special Committee, its Working Group and the Subcommittee held in 1994, as compared with those meetings held or to be held in 1995. In 1994, the Special Committee held 12 meetings altogether. The first was held in February of that year and the substantive session was held from 11 to 15 July. One more meeting was held in September. In 1995, the Special Committee will have held 10 meetings as of the end of this session tomorrow afternoon. Of course, we may need one or two meetings at the end of August or in early September, as was the case last year. The Working Group of the Special Committee held two meetings last year and one meeting so far in 1995. The Subcommittee held 15 meetings in 1994 from 23 February to 7 June. In 1995, the Subcommittee held 15 meetings from 22 May to 6 June.

As to the second question concerning the possible savings if, for instance, all the working papers which have so far been produced individually were consolidated in one document, it may appear that one could make savings by incorporating a number of papers into one single document. But this would amount only to saving on title pages and perhaps on the blank pages which are sometimes inevitably left at the end of each document.

The third question was whether we could economize by issuing documents biennially with annual up-dates instead of issuing them each year. Again, it may appear at first glance that there would be some savings because the up-dated papers issued each year would inevitably be shorter and thus would not include the background material which documents issued in their current form often contain. Sometimes it is necessary to refer to previous documents in order to make the present information more understandable and to provide a context

for comparing either figures or events. If that is the approach, we may expect some savings to a certain degree, but I do not think that at this point we can say for sure that they would be substantial. We also do not know what the content of those papers would be in each given instance. But that is as far as we can respond to the questions posed by the representative of the Russian Federation at this stage.

Mr. Chtcherbak (Russian Federation)(*interpretation from Russian*): Before presenting my amendments, I wish to quote several excerpts from the statement of the Secretary-General of 22 June 1995 on the financial situation of the United Nations:

(*spoke in English*)

> "On 31 May 1995, the Organization had debts of about $1.5 billion. ...
>
> "The situation has been aggravated by the growing practice of Member States to call for new or expanded United Nations activities, without appropriating the resources to carry them out. These unfunded mandates further deplete the very limited cash resources of the Organization.
>
> "This means that I am being pressured to engage in irresponsible financial management. In other words, I have been given the authority to spend money that I do not have, without a clear assurance that the necessary funds will be provided. I am expected to use funds appropriated for one mandate to finance another, unfunded, mandate. ...
>
> "I have submitted a proposed programme budget for 1996-1997 which entails negative growth. ...
>
> "I ask that you urgently address every possible way of relieving this financial crisis. ...
>
> "We must find some combination of measures that can improve this deplorable situation. Member States have numerous proposals on the table for discussion. I ask you to endorse any or all of them or to come forward with proposals of your own.
>
> "Should we fail to find a solution, the United Nations will commence its fiftieth anniversary as a debt-encumbered Organization lacking the financial resources to carry out the mission that Member States intend it to perform." (*SG/SM/5655*)

(*spoke in Russian*)

I quoted those gloomy lines from the Secretary-General's statement in order to draw the attention of Committee members to the situation that has developed in the United Nations. My delegation hopes that our Committee, like other bodies of the Organization, will consider how it may more reasonably and economically organize its work. I am absolutely convinced that our Committee, too, can make the efforts necessary to rationalize its work even further and do so without detriment to the effective performance of its mandate.

I should now like to proceed to those minor amendments which my delegation would like to propose to the text of the report (A/AC.109/L.1835). My delegation would suggest a slight amendment to the last sentence of paragraph 4 to make it read as follows:

(spoke in English)

> "The Working Group also recommended that budgetary provision for the activities referred to above would be made, as appropriate, by the General Assembly."

(spoke in Russian)

As members will see, this is a minor amendment that will handicap neither the Organization nor the Committee. At least the language is more flexible and avoids modal verbs such as "should", in this context.

The second amendment relates to paragraph 5, the first sentence of which refers to resolution 49/221 of 23 December 1994. My delegation feels that there must also be a reference to resolution 48/228 of 23 December 1993, entitled "Questions relating to the proposed programme budget for the biennium 1994-1995". I would recall that the resolution concerns the rational use of resources.

We propose our third amendment in the light of the reply from the Secretariat to our question about how many meetings we held last year and how many we shall have held this year. That information shows th t, while our sessions have been compressed into a shorter time, the number of meetings has not decreased. Hence, the statement in the report that

"the Committee had been able to curtail considerably the number of its formal meetings" (*A/AC.109/L.1835, para. 5*)

is incorrect. My delegation therefore proposes replacing the second sentence of paragraph 5 with the following text, which we believe more accurately reflects the situation:

(spoke in English)

"The Committee continued its efforts to streamline and organize its work effectively, which resulted, in particular, in the more compressed session of its Subcommittee on Small Territories, Petitions, Information and Assistance in 1995".

This wording can be refined later; we are just talking about the substance now.

(spoke in Russian)

My delegation also proposes the following addition to the last sentence of paragraph 5, following the word "resources":

(spoke in English)

"in accordance with the request of the Secretary-General to all Member States in connection with the critical financial situation of the United Nations".

(spoke in Russian)

In paragraph 6 (b), my delegation would like to clarify the heading "Subsidiary bodies" by replacing it with the heading "Subcommittee and Working Group".

Turning now to section 4, we propose an addition to the second sentence of paragraph 8 and an additional final sentence. The two sentences would now read as follows:

(spoke in English)

"The Working Group recommended that, consistent with the goal of limiting documentation, the Special Committee should streamline and consolidate the working papers prepared by the Secretariat and its report to the General Assembly. In this context, it is recommended that, starting from 1996, the Secretariat would produce one consolidated working paper on all Non-Self-Governing Territories allocated for consideration by the Subcommittee, in conformity with the 1995 report of the Subcommittee, contained in document A/AC.109/L.1829".

(spoke in Russian)

Turning to the final sentence of paragraph 9, I propose replacing the words "to maintain its verbatim records" with new text. The sentence would now read as follows:

(spoke in English)

"Having reviewed the need for such records, the Working Group decided to recommend to the Special Committee to replace its verbatim records by summary records, as has been implemented by the Special Political and Decolonization Committee (Fourth Committee)".

(spoke in Russian)

I do not think I need explain to members that this would result in substantial savings. Moreover, other committees have moved to this practice, including the Main Committee that will be considering our reports.

I turn now to paragraph 10. It seems to me that in its current form it does not reflect the substance of our discussions in the Committee and in the Subcommittee.

As we approach the mid-point of the International Decade for the Eradication of Colonialism, clearly it is time for us seriously to consider ways in which we might make some headway in carrying out our task. One such means might be to remove from the agenda certain issues that are no longer of substantial interest from the point of view of the terms of reference of our Committee. Therefore, paragraph 10 should read as follows:

(spoke in English)

"Following the conclusions and recommendations contained in the report of the Caribbean Regional Seminar on the Mid-Term Review of the Implementation of the Plan of Action,"

— here we should make reference to the number of the document —

"the Special Committee should include on the agenda of the 1996 session an item entitled

'Question of the list of Territories to which the Declaration is applicable'".

(spoke in Russian)

Of course, this does not mean that we must take a decision in 1996, but I do think that the Committee must take a close and painstaking look at the situation in each Territory from that standpoint. We feel that this would be in the interests not only of the Committee, but also of the implementation of its mandate, especially considering that there are only five years left until the end of the International Decade for the Eradication of Colonialism and that the year 2000 is our deadline.

I should like now to read out my last amendment. This would be a separate new paragraph, to be the final paragraph of the report, reading as follows:

(spoke in English)

"In view of the continued need for new and practical approaches to discharge effectively the mandate entrusted to the Special Committee, it is recommended that the meetings of the Bureau and the Working Group be open-ended."

(spoke in Russian)

I think everyone understands what this amendment means: at key stages in the work of our Committee, the meetings of the Bureau and of the Working Group should be open-ended. Otherwise, there could be a recurrence of the situation where my delegation was deprived of the possibility of speaking in the Working Group. We are thus compelled to consider amendments by our delegation not in the Working Group but at a meeting of the Special Committee itself. I believe this practice would enhance the effectiveness of the work of our Committee, of its Bureau and of the Working Group.

The Chairman: I see that Cuba wishes to speak. However, I should like to appeal to Cuba instead to speak first thing tomorrow morning so that we can conclude now, because we have already exceeded our time.

Mrs. Cueto (Cuba) *(interpretation from Spanish)*: Mr. Chairman, I will accede to your request to be brief and to speak tomorrow morning because you are right, the hour is indeed late — not only for the interpreters but also to submit any substantive proposal affecting the work of this Committee, as we just did. My delegation would be absolutely delighted to speak tomorrow. This does not mean, however, that tomorrow we will be able to reach a meeting of the minds on this issue.

The Chairman: I hope that we can be optimistic enough to believe that we will make some progress tomorrow.

The meeting rose at 6.35 p.m.